

**IN THE UNITED STATES  
DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA**

**UNITED STATES OF  
AMERICA,  
  
V.  
  
WILLIAM TOBY KIMBROUGH,  
DEFENDANT.**

**CASE NUMBER  
  
2:07-CR-00260-MHT**

**MOTION TO CONTINUE TRIAL**

**COMES NOW** the defendant, William Toby Kimbrough, by and through the undersigned counsel and moves this Honorable Court to continue his trial by stating the following:

1. The Defendant's trial is current for the June 23, 2008 Trial Term.
2. Counsel has recently appointed in this case. In order to prepare a proper defense, Counsel will need additional time to review the discovery, discuss same with the Defendant and review the law applicable to the case.
3. Counsel has spoken to the Government and there is no objection to the requested continuance. In addition to this the Assistant United States Attorney assigned to this case consented to this request for a continuance during the pre-trial conference.

**WHEREFORE, THE PREMISES CONSIDERED**, Defendant prays that  
this Honorable Court will grant the foregoing and continue the Defendant's Trial.

**RESPECTFULLY SUBMITTED** this the 19th day of May, 2008.

/s/ Daniel G. Hamm

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## **CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed this Motion to Continue Trial with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following: Nathan D. Stump, Assistant United States Attorney, Post Office Box 197, Montgomery, Alabama 36101-0197.

**DONE** this the 19th day of May, 2008.

/s/ Daniel G. Hamm

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